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REPORT

Washington (Terr.) University.

OF THE

EXPENDITURES

OF THE

UNIVERSITY COMMISSIONERS

OF THE

TERRITORY OF WASHINGTON.

[ORDERED PRINTED BY THE COUNCIL.]

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DECEMBER 20, 1861.

Hon. Council of Legislative Assembly of Washington Territory:

Your resolution requesting a report of all the expenditures incurred in improving the University site, as per Sec. 9, etc., is received. Accompanying I send a full report.

DANIEL BAGLEY,
President of the Board of Commissioners.

REPORT OF THE UNIVERSITY COMMISSIONERS.

UNIVERSITY COMMISSIONER'S OFFICE,
Seattle, W. T., Dec. 4, A. D. 1861.

To the Legislative Assembly of Washington Territory:

We hereby make a report to your Honorable Body of our doings under the Act of our appointment of January 11, A. D. 1861.

We met as required by the law, Feb. 22d, 1861, and after taking the oath of office, organized by appointing Daniel Bagley President of the Board, and agreed upon a plan of operations. We selected the ten acre site adjoining the town of Seattle, in King county, W. T., upon a beautiful eminence overlooking Elliott's Bay and Puget Sound—the Hon. A. A. Denny donating eight and a fraction acres, and Messrs Terry and Lander the other one and a fraction. We had deeds of the above land executed as required by law, and approved by the Secretary and Acting Governor, H. M. McGill.

The President gave bonds in the sum of ten thousand dollars, as required by the Governor, with D. Horton, J. Williamson and Henry Van Asselt approved sureties.

We have elcared (grubbed) and fenced the ten acre site with a good picket fence, with cedar posts, and the same is substantially painted. We have erected and nearly completed a University building, 50 by 80 feet and two stories in height, beside belfry and observatory.

The foundation is solid masonry: the work throughout of the most substantial character.

The building is divided into four rooms above, including the grand lecture room 36 by 80 feet, and six below, beside the entrance hall of 12 feet, running through the building.

Messrs. Pike and Russell are the architects, Jordan and Thorndyke the plasterers, and H. Pike outside and H. Gorton inside painters. Accompanying we send a diagram of it, including the house for the President, etc.

A good school of some thirty students is in progress, A. S. Mercer, A. B., late of Ohio, teacher.

The President's house is 40 by 50 feet, solid foundation, brick and cement cellar.

It is divided into seven rooms below and three above, plastered and painted.

The boarding house is 24 by 48 feet, a plain box building, intended for a front addition if the school is thoroughly organized and developed. A full supply of the purest of spring water is constantly running, brought a distance of 1400 feet in charred pump logs. The buildings are all ready for use, and nearly completed.

The grounds are sown with wheat and blue grass.

There are some comparatively small contracts not completed, which will be as soon as convenient.

We began in April without one dollar, we have done the work specified above. We have never dishonored an order. We have kept clear of debt as required by the law, and have not had any serious accident, or misunderstanding. Have endeavored to do our duty and no more. That we have not erred in judgment *is too much to hope.*

We have, as shown in our schedule report, selected and located in various parts of the Territory and of various kinds and quality 29,151 79-100 acres of land.

There remain to be located 16,928 21-100 acres. We have sold 20,524 70-100 acres at $1 50 per acre, making $30,787 04.

A large portion of it is timbered land, worthless except for the timber, and that is decreasing every year materially, owing to fires and trespassers.

We have expended $30,400 69 as follows:

Clearing and grubbing 7 acres of the site at 275 dollars per acre,	$1,925 00
Clearing and grubbing 3 acres of the site at 316 2-3 dollars per acre,	950 00
Fencing the 10 acres,	470 00
G. A. Meigs, for material furnished,	6,961 32
Seabeck Mill Co., do do	1,397 68
Puget do do do do	62 24
Seattle do do do do November 5th,	377 00
293 perch rock, delivered measured in the wall, at $4 70 per perch, by Butler & Hyde,	1,377 10
Hauling 198,212 feet timber and lumber at $1 23 per thousand feet, by Butler & Hyde,	243 80
Other hauling by Butler & Hyde,	141 50
Hauling and teaming by D. B. Ward,	284 60
27,000 brick,	285 00
177 bbls. lime,	577 00
9 barrels cement,	41 00
Hauling sand by Wycoff at $1 50 per load of 20 bushels,	189 62
Iron work by White,	437 00
Stone and brick masonry, by J. Dodge,	340 00
do do do by Jordan,	99 00
Pike & Russell, erecting university frame	$945 00
Pike & Russell, putting up balustrade, cornice, &c.,	1,440 00

Pike, Russell, and H. and M. Hitchcock, belfry, siding, casings, base, &c., including President's house	3,053	00
F. Matthias, making 54 window frames at $5 50 per frame	297	00
Laying upper floor by R. Beatty	80	00
Laying under floor and portico's by O J. Carr	100	00
Jordan & Thorndike, masonry, and lathing and plastering at 33 cts per square yard	1,165	44
McAllen, for tin work, stoves, &c.,	875	18
Hunt and H. Pike, outside painting, 160 squares,	368	00
do do other work and material,	69	50
H. Gorton, inside painting at 4 dollars per day,	330	50
Painting by Clark at 4 dollars per day,	224	00
D. C. Beatty, for desks and chairs, stained and put down (per desk and two chairs, $7) and turning,	679	22
Delin & Shory, for doors, door columns, seats, black boards, rostrums, &c.,	961	80
1420 feet of pump logs, laid down at 40 cents per foot by Butler & Hyde,	568	00
Making the spring and spring house,	50	00

The remainder, as shown by the books and vouchers, has been for paints, varnish, nails, screws, lumber, shingles, wharfage, digging for foundation, tending masons, board, grading, cellar under the President's house, freight, day labor by various persons at various times, stationery and incidental expenses unavoidable in carrying forward the work, too lengthy for report, and can at any time be seen by reference to the books.

Our expenditures have been as follows:

Webster, time and expense, 73 dollars, 48 of which have been drawn from the treasury of the Territory by a warrant. The other 25 dollars we regard as expended on university account, as much as any other expenditure, and the President paid it from university funds.

Carr's per time is 69 days,	$207	00
Carr, per expense of traveling, &c.,	109	75
Making,	$316	75

Drawn and to be drawn from the Territorial Treasury.

Bayley's time and expense,	$280	85

Besides charging a portion of time and personal service to University fund, as it was part of expense of building, and improving.

We have drawn in Territorial warrants, also, for advertising

in the Pioneer and Democrat,	$ 25	00
For advertising and printing in Standard,	37	00
For advertising in North West,	25	00
For services of A M. Poe, agent at Olympia,	50	00

Trip of James Lodge to and from Vancouver land office, printing, platting, and trip to and from Walla Walla, locating and disposing of lands, and as special agent, attending to University interests,.....	150 00
	$287 00

AUGUST 29th.—We received a letter from the Secretary and Acting Governor, L. J. S. Turney, asking for the law which, in our judgment, authorizes us to sell University lands, intimating a doubt of the propriety of our acts in this particular. After taking the oath of office, we regarded it as our *duty to keep the law, and not to judge it*, we herewith send a copy of our reply, to wit:

"On page 47, Donation Act, section 10 reads—"That there be and hereby is granted to the Territory of Oregon two townships of land, &c., to aid in the establishment of a University, &c. When Washington Territory was separated from Oregon, two townships were reserved to each, in lieu of the two to Oregon. Page 54, section 4, Organic Act.

"Although different terms are here used, we conclude and maintain there was no departure on the part of Congress from its policy as laid down in section 10, above referred to, and which is the basis of our action.

"The Territorial legislation is in the acts upon pages 4 and 17 and 18 of the laws of 1861

"Besides *our o. [illegible] judgment* the following are some of the reasons for believing the law invests us with the power to sell:

"The Commissioner of the General Land Office, in instructions in possession of the Register, (Hon. A. A. Denny) sets forth 'that in case of *grants*, if any further legislation is had by Congress, it *dates back to the time of the grant.*' We are informed that this question was discussed by the last legislature, and agreed to with remarkable unanimity.

"We have had the sanction and assistance of the Surveyor General's Register and Receiver's office. The former Acting Governor, (Hon. H. M. McGill) drew our bond, and did not intimate any objection. Legal gentlemen have taken lands in this way. The acutest and most eagle-eyed Mill Companies have purchased extensively, and have no hesitation in doing so. Besides, what injury can it work? It is clear that we have power to select—that Congress will approve the selections there can be no doubt, for we have not taken minerals or salines. The Territory will not ignore its own acts. Hence, when the lands are selected, Congress will ratify, and the Legislature, by one act, will ratify the sales.

"The lands are entered upon the land records as "University Lands," and the officers of Government will not allow sales again of the same lands. That uneasiness could be produced and even trouble, if men in high stations should persistently strive for that purpose, we do not doubt. But if such will use their influence, if any thing is lacking, it will be promptly supplied."

We respectfully suggest that you continue a board of commissioners to complete the work of selecting next year, and empower it to guard the lands against trespass.

That you continue sales as at present, or upon time with interest, at the option of the commissioners. Before acting in reference to our work, you come upon the grounds and examine the whole affair rigidly.

That you give friendly legislation to organize the school and make it a credit and blessing to the Territory. The school is needed, as there is none of a high grade in the Territory.

That you ratify the acts of the commissioners in the selection and sale of the lands.

That you order the taxes upon the sold land to go to the University school fund. This will be better than to have kept the land in view of advance in value.

That you call the attention of the benevolent to the institution, that they may be induced to remember it in their benefactions and bequests.

Memorial Congress to ratify our selections if it is needed.

Allow corrections to be made by the commissioners next year, if any have occurred. To err is human.

After finishing present contracts, making any necessary improvements, and obtaining necessary apparatus, the funds from the sale of lands be irreducible, except at the instance of the board of directors that may be appointed, the interest, taxes and donations to support the school.

If in your judgment it is best to change the policy essentially, you allow at least three months to close contracts, have bills rendered and paid, and every thing properly analyzed and arranged. Any thing short of this will be likely to injure the interests of the institution as well as the commissioners and other parties.

We are fully satisfied it will be better for the University for all the lands to be sold at an early day, as the taxes and interest upon the money will be worth more than the rise in the land. After completing every thing begun, at least one half of the grant of Congress will remain for an endowment fund;—the interest upon this at ten per cent per annum, will make the sum of three thousand and five hundred dollars yearly, beside the taxes. The Territory needs the facilities thus offered for educational purposes now. Hoping you in wisdom will give efficiency to the great work, we are,

Respectfully yours,

DANIEL BAGLEY,
JOHN WEBSTER,
EDMUND CARR,
University Commissioners.

NOTE BY THE PRESIDENT OF THE BOARD.

I have charged three dollars per day actual service and positive expenses, in all some 600 dollars.

The 285 85-100 dollars as mentioned in our report of commissioner's expenses, is part of that amount. The balance I charged to University fund account. The propriety of this under the law was doubtful. The following are reasons for so doing:

The 150 dollars drawn in Territorial warrant for sesvices of Mr. Lodge, he did not take. I paid him in cash from my own funds. And so of the 50 dollars for A. M. Poe, and the 25 00 for the "Northwest." Beside I cashed a warrant of upwards of 100 dollars for Mr. Carr, to enable him to carry on his part of the work, and have had to pay in money traveling and tavern bills, and have as yet not received one cent in cash from the treasury. Much of my expense I regard as part of the cost of building and improving as truly as lumber, nails, &c., as it is connected therewith. My labors have been excessive, and it seemed proper I should have that much in that way. If you do not allow it, I shall not complain, but it will work a hardship to me. In that event I shall draw a warrant from the Territory for the balance, and refund to University account what I have used.

I am living in the President's house, the propriety of which has been questioned by some. I had to have an office—had used free of rent charge the best room in the house in which I lived till it was sold. Beside, it was necessary I should be upon the ground to care for the property and look to the general interest of the institution. If you see proper, charge me rent, and I will pay it without a murmur. I moved in about the first of October.

When it was proposed to commence a school in the University building, there was a *marked clamor raised. Notwithstanding the much good counsel I received free of charge*, after mature thought, I still regarded it as best. I am strengthened in that belief after a full trial up to this time. We have a No One school, with arrangements for students from all parts of the Territory. The studies now include the higher Mathematics and Latin.

The teacher, A. S. Mercer, A. B., is thorough in discipline and high-toned morality. University funds are not used or promised in support of the school.

Washington Territory has reason to expect much energy and efficiency to the institution from the action of your honorable body, and it is hoped those expectations may not be disappointed.

DANIEL BAGLEY.